IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6063 of 2007
Date of Decision: 26.4.2007

Ram Kishan

Petitioner

versus

The Director, Consolidation and Land Holdings and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Shri Ramesh Hooda, Advocate for the petitioner

Jasbir Singh, J. (Oral)

It is apparent from the records that the petitioner moved application under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, to get passage upto his land. In that application, interim stay was granted against respondent Nos.2 to 4, directing them not to raise any construction over khasra No.24/2. They made a prayer to vacate ex-parte stay order, referred to above, which was vacated vide order, under challenge. It has been found, as a matter of fact, that partial construction existed over the said khasra No. and that was the reason to vacate the stay. We are not inclined to interfere in the order passed. If the petitioner is entitled to get passage, the same shall be provided to him, as per law, by the authorities concerned. No case is made out for interference. Dismissed. We expect that the Director, Consolidation shall decide the pending litigation on the date already fixed or may be immediately thereafter.

(Jasbir Singh)
Judge

April 26, 2007 **(Rajesh Bindal)**
gk **Judge**